

City of Selah
Council Minutes
April 14, 2020

Regular Meeting
Electronically Via Zoom
115 West Naches Avenue
Selah, WA 98942

- A. Call to Order Mayor Raymond called the meeting to order at 5:36 pm.
- B. Roll Call
- Members Present: Kevin Wickenhagen; Jacquie Matson; Clifford Peterson; Roger Bell; Christopher Lantz; Russell Carlson
- Members Absent:
- Staff Present: Donald Wayman, City Administrator; Rob Case, City Attorney; Dale Novobielski, Clerk/Treasurer; Andrew Potter, Human Resources Manager; Monica Lake, Executive Assistant
- C. Councilmember Absence – Motion to Excuse
- D. Pledge of Allegiance
- Council Member Wickenhagen led the Pledge of Allegiance.
- E. Invocation
- Pastor Scott Ruark gave the prayer.
- F. Agenda Changes **None**
- G. Public Appearances/Introductions/Presentations **None**
- H. Getting To Know Our Businesses **None**
- I. Communications
1. Oral **None**
2. Written **None**
- J. Proclamations/Announcements **None**
- K. Consent Agenda

Executive Assistant Lake read the Consent Agenda.

All items listed with an asterisk (*) were considered as part of the Consent Agenda.

* 1. Approval of Minutes: March 10, 2020 Council Meeting

* 2. Approval of Claims and Payroll:

Payroll Checks Nos. 83425 – 83457 for a total of \$213,603.71

Payroll Checks Nos. 83458 – 83476 for a total of \$298,748.08

Claim Checks Nos. 74569 – 74648 for a total of \$360,103.57

Claim Checks Nos. 74649 – 74743 for a total of \$338,678.53

Council Member Bell moved, and Council Member Carlson seconded, approval of the Consent Agenda as read. By voice vote, approval was unanimous.

Council Member Carlson asked if the meeting was live on Facebook.

Human Resources Manager Potter responded that he had made six attempts to do so and all had failed, so he posted a notice that people wishing to attend could log into Zoom.

Council Member Carlson thanked him.

L. Public Hearings **None**

M. General Business

1. New Business

a. Promotional Requirements for Public Works Utility Workers and Incentive Pay for Commercial Drivers Licenses (CDL)

Human Resources Manager Potter addressed M – 1a. He explained that this is a new item of business which, if passed tonight, would result in drafting an official amendment to the current bargaining agreement for the Police and Public Works & Parks bargaining groups. He went on to say that the first part was to update job descriptions by qualifying the tasks assigned to utility workers, and the second part was an explanation of the promotional requirements that lays out qualifications for each level and foreman positions, as those haven't been detailed in writing since a previous City Administrator changed to a pay by performance method and in the update of job descriptions failed to include specific guidelines for promotion. He requested permission to add those to the collective bargaining agreement, as several union employees had discussed some discontent with how they were being treated for promotional requirements, and upon review he realized the need for clearer language so they could hold the City accountable to those promotions and approve them when appropriate. He remarked that the second part was a request to make a transition from no additional pay for CDL licenses to reward or demonstrate that they value the CDL by paying fifty dollars per month to each employee who has and maintains their CDL. He added that the City would continue to pay license fees but they must physically pass the tests for CDL, and if they don't then they would be denied and no longer receive that pay.

Council Member Carlson inquired as to the stance on education as a whole for both Public Works and all departments, wondering if they were encouraging education amongst all departments or limiting it to the CDL.

City Administrator Wayman replied that their stance was encouragement of education and training in all departments. He went on to say that the CDL requires more than showing up for training, and as it requires a higher level of effort to get training they realize the need to compensate those working towards their CDL so they can advance further up the ladder in the Public Works domain.

Council Member Wickenhagen expressed some confusion in the wording, with one part saying it would be costly to pay for training for those who don't have a CDL but saying later that the City would recognize those who have their CDL by increasing compensation rather than paying for training.

Human Resources Manager Potter responded that they have had several discussions on how to handle this, and that while Department of Licensing (DOL) does allow for them to provide a training course and on the job hours, they have to be done within a specific set amount of time, and they don't believe they have enough opportunity for unlicensed drivers to drive CDL vehicles to pass the test, which they would have to take to be licensed. He went on to say that it would cost the City approximately ten thousand dollars plus the loss of an employee sitting in a classroom for two weeks to train one employee to be tested, but if the employee is willing to undertake the necessary studying and training, both on the job and outside, then the City would provide them with a fifty dollar per month stipend as reward. He noted that there wasn't a need for all twelve utility workers to have CDL licenses, but this also would be a way to incentivize when putting out for jobs.

Mayor Raymond recognized Council Member Bell.

Council Member Bell requested clarification that they get pay while training and going through the process, adding that some people can take a couple years to get a CDL if there is no real issue to push them forward to accomplish it.

Human Resources Manager Potter answered that they will only be paid if they have a current active CDL license, and that the other part of the acknowledgement was that they have to participate in the Drug and Alcohol pool.

Council Member Bell moved to Approve the Utility Worker Promotional Requirements and the CDL Incentive Pay.

Mayor Raymond recognized Council Member Carlson.

Council Member Carlson inquired as to the current need for CDL licensed utility workers and the level of encouragement for training and education.

Public Works Director Henne replied that they don't have a need for utility workers to have a degree, although if someone has to have training and a background with mathematics and computations for the water system that's included in the certificate for that position, which also applies for sewer and the wastewater treatment plant. He said that of the twelve utility workers they currently have four or five

with a CDL, and as the only vehicles who require a CDL license are the two dump trucks, the street sweeper, the water truck, he felt they were sitting fairly well at the moment.

City Administrator Wayman commented that they need redundancy at Public Works, as sometimes people are sick or on vacation, and they need more drivers than vehicles.

Public Works Director Henne noted that they rarely operate all those vehicles at the same time.

Council Member Carlson remarked that his question wasn't just Public Works but all City staff, asking what the level of encouragement was regarding Perry Tech or trade education, or degrees.

City Administrator Wayman responded that they encourage folks to get additional training in their field and attend conferences to enhance their understanding, with one employee going through a master's program the City was funding. He wasn't sure what was meant by Perry Tech, although they lean into anything applicable. He went on to say that they talk about training in greater detail during budget discussions, as training is a top priority for the Mayor, himself and City staff.

Public Works Director Henne commented that someone who was certified had to continually educate, with three years to get three CEUs to maintain that education.

Council Member Peterson seconded the motion. By voice vote, approval was unanimous.

2. Old Business **None**

N. Resolutions **None**

O. Ordinances

1. Ordinance Amending the 2020 Budget for the Conversion of Various Street Lights to LED Lights

Clerk/Treasurer Novobielski addressed O – 1. He said that the Ordinance was to amend the 2020 budget for conversion of various street lights to LED lights, giving a brief history of the project the City had done courtesy of a grant with the Washington State Transportation Improvement Board and incentive dollars from Pacific Power. He noted that the changes would allow them to have budget dollars to offset the actual expenses.

Council Member Carlson asked if it was a dollar for dollar match.

Clerk/Treasurer Novobielski answered that it was a one hundred percent match.

Council Member Carlson moved to Approve the Ordinance Amending the 2020 Budget for the Conversion of Various Street Lights to LED Lights.

Mayor Raymond recognized Council Member Peterson.

Council Member Peterson remarked that he has one of the LED lights right in front of his house, and it was fantastic, so much brighter. He asked if there was a plan to ultimately replace all street lights.

Public Works Director Henne answered that they did seventy-six of them with the energy grant in 2017, and that this finished the remainder. He didn't think there were any low-pressure sodium lights left in the City, as they have changed the building standard to require LEDs in new construction.

Council Member Peterson seconded to Approve the Ordinance Amending the 2020 Budget for the Conversion of Various Street Lights to LED Lights. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Peterson – yes; Council Member Bell – yes; Council Member Lantz – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

2. Ordinance Amending the 2020 Budget for the Rebuild of the Well No. 6 and Zone 3 Pump Station

Clerk/Treasurer Novobielski addressed O – 2. He said that this was a budget adjustment for the rebuild of Well No. 6 and the Zone 3 Pump Station, which experienced a fire in the wellhouse in the winter of 2018. He went on to say that at the February 11, 2020 Council Meeting, Council approved the Mayor signing a contract with Scout Lake Construction to rebuild the facility, with an estimated cost of one hundred thirty-eight thousand four hundred dollars, with a thousand-dollar deductible from the previous insurance policy that would be paid from the Water Fund. He noted that the remainder would be reimbursed by the insurance company.

Council Member Wickenhagen moved, and Council Member Carlson seconded, to Approve the Ordinance Amending the 2020 Budget for the Rebuild of the Well No. 6 and Zone 3 Pump Station. Roll was called: Council Member Wickenhagen – yes; Council Member Matson – yes; Council Member Peterson – yes; Council Member Bell – yes; Council Member Lantz – yes; Council Member Carlson – yes. By voice vote, approval was unanimous.

P. Public Appearances None

Q. Reports/Announcements

1. Departments

Clerk/Treasurer Novobielski said that they wouldn't see the impact of the lockdown until the end of May due to a sixty-day lag between when businesses receipt sales tax and the City receives their share. He remarked that they received a property tax check from the Yakima County Treasurer in the amount of sixty-four thousand dollars, although they wouldn't see the amount paid in April until May 10.

City Attorney Case said that the COVID situation has shut most things down, including most courts. He remarked that the merits appeal briefings have been done for a while, but there likely won't be a decision for a couple months. He went on to say that they were getting close to a critical time to make a decision regarding the money appeal and he would probably follow the course of action previously explained in Executive Session either next week or the week after.

2. Council Members

Council Member Carlson asked Clerk/Treasurer Novobielski if they would be getting back any expenses for spring soccer, and why there was Pam spray on the expense report.

Clerk/Treasurer Novobielski replied that the Public Works crew used the spray while restriping the sidewalks, likely to keep the paint off the templates.

Council Member Carlson opined that it was a unique use for Pam spray, and wondered if there was something we should be stocking rather than buying this at a higher cost, at it seemed like everybody went wherever they liked to buy stuff.

City Administrator Wayman commented that he would talk to Public Works Director Henne, as he didn't know whether buying all at once or over time was more economical.

Council Member Carlson responded that his request wasn't only about Pam spray but all office supplies, as they seem to be buying toilet paper at Helms but they could order in larger quantities and save money.

Clerk/Treasurer Novobielski said that the majority of hand towels and toilet paper was purchased through the King County Directors Association, at approximately a thousand dollars per transaction.

City Administrator Wayman remarked that, regarding soccer jerseys and so on, they would be transferable to the next season, but the background check are lost money.

Council Member Carlson noted that four beautification grants were awarded to different businesses for exterior beautification.

Council Member Lantz commented that in a previous job he found that heavy winds would cause the LED bulbs to go out. He asked how many extra bulbs had been budgeted to have on hand in case something happened.

Public Works Director Henne answered that they have about half a dozen extra, but each light has multiple LEDs and they've only had one fail in the last few years.

Council Member Lantz responded that he was just curious about what they had for backup.

Council Member Bell said that the contractor for SPRSA was granted an exception yesterday through the Governor's office to allow him to complete construction of the pool with the intent to start that this week. He noted that it was an authorized construction need addressing the health of children and adults once quarantine has been completed.

City Administrator Wayman commented that, based on a discussion earlier that day, Pease Construction would will be able to access the pool through the park for repairs. He added that Public Works Director Henne was talking with them regarding mitigation of damage, as they expect all damages to be repaired.

He informed Council that he talked with Commissioner Baker about the SPRSA interlocal agreement and the members of its board, but a new agreement was on hold due to COVID-19.

Council Member Bell thanked City Administrator Wayman and Public Works Director Henne for their work on getting things moving forward again.

Council Member Peterson had no report.

Council Member Matson had no report.

Council Member Wickenhagen said that this wasn't a good month to start his tenure on the Yakima Valley Tourism board, as they laid off thirty-five percent of their staff and are estimating a minimum of two years' recovery for most hotels in the area. He went on to say that it very depressing to listen to them, as business has basically stopped and there's no clear vision as to when it would start to recover.

3. City Administrator

City Administrator Wayman started by saying that the Mayor has made an emergency declaration with SMP 1.58.010, and he encouraged everyone to look at the Ordinances and understand the powers that roll with that. He noted that she hasn't exercised any powers aside from altering council meetings, and that the main purpose was to be able to recover State and Federal funds that might become available in the future. He said that they have changed the standard operating procedures in all departments, such as suspending all sports and Civic Center activities with the exception of the Food Bank and Meals on Wheels, the former doing outside pickup and the latter cooking and freezing meals that are delivered or picked up by those in need. He noted that the blood bank would be using the Civic Center Thursday and would establish their own protocols for those giving blood. He said that the Police station front doors are locked, although individuals can call and come in one at a time to conduct business, all officers were well, and they were postponing the testing for a sixteenth officer until mid-summer. He addressed the Fire Department next, saying that staff are well but they've had to change some protocols with regard to when they show up at an incident with a suspected virus victim. He outlined the procedures implemented per instruction from the Department of Health and other organizations, and added that Fire Chief Hanna was granted approval to purchase a fifteen-thousand-dollar piece of equipment that decontaminates vehicles and rooms, as it's within his budget to purchase. He said that the front door at City Hall was closed but they were allowing one person in at a time to take care of business for either courts, utilities, or to talk with staff. He stated that they were doing the best they could to be responsive and not inconvenience citizens while not violating social distancing. He felt that there would be some leaner financial times in the future, especially fall of this year, and that they would be careful with money as always, as everyone wants to do good by the residents of Selah.

4. Boards

a. Planning Commission Minutes for February 18, 2020

5. Mayor

Mayor Raymond commented that there were a lot of people in town who could use an extra smile or hello, encouraging them to reach out to people see if they need a hand, as that's what Selah is about.

Council Member Bell raised a question as to whether the City was keeping an eye on any money that might be available from either the State or Feds that might help those local businesses.

Mayor Raymond responded that she's talked with some business owners, and they were watching closely what's available, adding that there are a lot of stipulations on what's being given out.

City Administrator Wayman remarked that in the CARES act that was just passed, those individuals who are backed by Federal loans could suspend payment to a bank or credit union for up to one hundred eighty days if they have renters who are unable to pay their rent, although they would need to negotiate that with their financial institution.

Council Member Carlson inquired if they would be holding public hearings during this time where public attendance is restricted, and how they were providing an opportunity for those to be in attendance. He said that at the last meeting he talked about doing background checks for those appointed to council positions, saying that the City of Vancouver does background checks for those appointed to council positions, and asking how does that apply to them and their opportunities.

City Administrator Wayman replied that they were conducting public meetings, and held a Hearing Examiner's meeting recently headed up by Community Development Supervisor Peters with public opportunity to participate and provide testimony. He went on to say that as they go forward they would use the same format, although he felt it would be a lot more difficult to do with Zoom, and that whatever they did would comply with the Open Public Meetings Act.

City Attorney Case said that he hasn't been directed by the Mayor or City Administrator to research the issue of criminal background checks for applicants for open council seats, although if Council were to desire that as a policy he would have comments at that point to be addressed during an Executive Session. He noted that if they were to change operations or laws for a policy change there would be ramifications that come from that, and felt that the first round of discussion would be best addressed in Executive Session rather than in public forum. He remarked that if necessary he would address it further, but his impression was that Council needs to decide if this is a policy they want to pursue by bringing a motion or other method of advancement to the table.

Council Member Carlson understood, adding that he was interested in further information beyond the couple of emails he had sent containing his research, and that while he isn't an attorney, as they hold everybody to such a high standard, including the City Administrator when he applied for his position, he was interested to learn the legalities and see if that could apply to their Council positions. He added as a side note that a Council Member in the town his wife grew up in was recently arrested for sending explicit photos to a minor, and that if there was a legal way to protect the City and its residents from such a person in such a powerful position he would support that.

City Administrator Wayman felt that they needed to be very careful talking about specific qualifications beyond being a resident or having the ability to vote, as they would need to determine what crime was too bad to disqualify them and require a waiver from the individual applicants to conduct a further

background investigation. He pointed out that Council Members are elected representatives and are accountable to the voters, and didn't think it fair to add another layer for a prospective Council Member to come in and be one of their peers when an individual only needs to be a resident and eligible to vote to register and run for a City position. He stated that, in his opinion, they would be asking for trouble by adding an additional layer, as it isn't a job interview but elected representatives voted in to replace elected representatives, with each person being one of seven votes on the City Council.

Council Member Carlson disagreed, saying that he viewed it as part of the application, and that as one of the six who cast a vote it's a big issue to him. He commented that the City of Vancouver does it only for appointed positions, and he thinks they should pursue study and research to understand its validity.

City Attorney Case responded that part of what makes it a little difficult to talk about is knowing what they would be searching for, as someone isn't eligible to be a voter if they have a felony conviction, which means they are talking misdemeanors. He went on to say that Council Member Carlson was referencing someone just having been arrested as an example, but if Council decided to pursue it they would need to have a policy debate before spending too much time or resources to determine whether the majority wished to pursue the matter or not.

City Administrator Wayman opined that it would chill any additional participation in the process if people thought a background investigation was going to be part of the process, and that they potentially wouldn't have the best quality applicants for a vacant position. He questioned whether Council would hold a misdemeanor against someone as a disqualifier during an Executive Session discussion.

City Attorney Case explained the different types of misdemeanors. He said that his question would be whether they would be proposing a full criminal background check or crimes of moral turpitude as opposed to a misdemeanor DUI or did something else that isn't a crime of intent but technically committed. He added that he comes back to trying to define what was to be sought and what would be done with that information, as there would be interplay between this and public disclosure that would need to be discussed with the Council.

Council Member Bell stated that he would prefer to have as an Executive Session to discuss it further.

Council Member Carlson agreed that it wasn't a black and white scenario, as City Administrator Wayman provided scenarios that should not disqualify somebody.

Mayor Raymond suggested that they postpone the conversation to a later date, adding that they would look at meetings and set a date to discuss the matter further.

R. Executive Session **None**

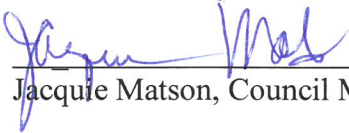
S. Adjournment

Council Member Bell moved, and Council Member Peterson seconded, that the meeting be adjourned. By voice vote, approval was unanimous.

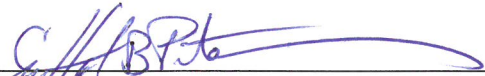
The meeting adjourned at 6:48pm.



Roger Bell, Council Member



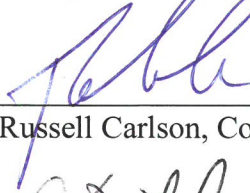
Jacquie Matson, Council Member



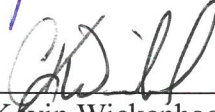
Clifford Peterson, Council Member



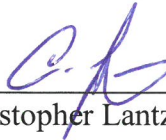
Sherry Raymond, Mayor



Russell Carlson, Council Member

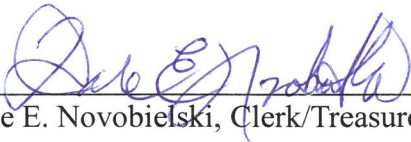


Kevin Wickenhagen, Council Member



Christopher Lantz, Council Member

ATTEST:



Dale E. Novobielski, Clerk/Treasurer